

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

ANONYMOUS MEDIA RESEARCH
HOLDINGS, LLC,

Plaintiff

v.

SAMSUNG ELECTRONICS CO., LTD.;
SAMSUNG ELECTRONICS AMERICA,
INC.,

Defendants.

§
§
§
§
§
§
§
§
§
§
§

Civil Action No. 2:23-cv-00439

JURY TRIAL DEMANDED

**DEFENDANTS SAMSUNG ELECTRONICS CO., LTD. AND SAMSUNG
ELECTRONICS AMERICA, INC.'S ANSWER TO PLAINTIFF'S ORIGINAL
COMPLAINT**

Defendants Samsung Electronics Co., Ltd. ("SEC") and Samsung Electronics America, Inc. ("SEA") (collectively, "Samsung" or "Defendants"), by and through their counsel, hereby answer the Complaint of Plaintiff Anonymous Media Research Holdings, LLC ("AMRH" or "Plaintiff"), filed September 22, 2023, the answer date having been extended to January 15, 2024 by Order, Dkt. No. 13.

GENERAL DENIAL

Unless specifically admitted below, Defendants deny each and every allegation in Plaintiff's Complaint. Defendants' reproduction of the headings and sub-headings set forth in the Complaint below is solely for the purpose of convenience and is not, and should not be construed as, an admission by Defendants that any allegation or other statement in the headings or the paragraphs of the Complaint, whether explicit or implied, is true, correct, or admitted by Defendants. All allegations in Plaintiff's Complaint, including those in the headings that Defendants do not expressly admit in this Answer are specifically denied.

THE PARTIES

1. Defendants lack knowledge or information sufficient to form a belief as to the truth or falsity of the allegations in Paragraph 1 and accordingly deny them.

2. SEC admits that it is a corporation organized and existing under the laws of the Republic of Korea with its principal place of business located at 129 Samsung-ro, Yeongtong-gu, Suwon-si, Gyeonggi-do, Korea 16677. The remainder of the allegations of Paragraph 2 set forth legal conclusions for which no response is required. To the extent a response is required, Defendants deny the allegations of Paragraph 2.

3. SEA admits that it is a corporation organized under the laws of the State of New York and that it has been registered to do business in the state of Texas since June 10, 1996. SEA may be served through its registered agent, CT Corporation System, at 1999 Bryan Street, Suite 900, Dallas, Texas 75201.

4. To the extent that the allegations of Paragraph 4 set forth legal conclusions, no response is required. Defendants admit that SEA is a wholly owned subsidiary of SEC. SEA admits that it has an office at 6625 Excellence Way, Plano, Texas 75023. Defendants admit that, as of the date of this Answer, <https://news.samsung.com/us/samsung-electronics-america-open-flagship-north-texas-campus/> is available online; is dated April 6, 2018; and includes the headline “Samsung Electronics America to Open Flagship North Texas Campus.” The remainder of Paragraph 4 contains opinions and characterizations to which no response is required. To the extent a response is required, Defendants deny the remainder of the allegations in Paragraph 4.

JURISDICTION & VENUE

5. To the extent that the allegations of Paragraph 5 set forth legal conclusions, no response is required. Defendants admit that AMRH’s Complaint purports to set forth a patent

infringement action arising under the patent laws of the United States, Title 35 of the United States Code. Defendants do not contest that this Court has subject matter jurisdiction over the asserted claims of patent infringement.

6. To the extent that the allegations of Paragraph 6 set forth legal conclusions, no response is required. To the extent an answer to such allegations is required, Defendants will not challenge, for purposes of this action only, that the Court has personal jurisdiction over Defendants. Defendants deny all remaining allegations of Paragraph 6.

7. To the extent that the allegations of Paragraph 7 set forth legal conclusions, no response is required. To the extent an answer to such allegations is required, Defendants will not challenge, for purposes of this action only, that the Court has personal jurisdiction over Defendants. Defendants specifically deny that they have committed or continue to commit any acts of infringement in this or any other District by, among other things, using, importing, offering to sell, and selling products and services that infringe the Asserted Patents. Defendants deny all remaining allegations of Paragraph 7.

8. To the extent that the allegations of Paragraph 8 set forth legal conclusions, no response is required. To the extent an answer to such allegations is required, Defendants will not challenge, for purposes of this action only, that the Court has personal jurisdiction over Defendants. Defendants specifically deny that they have committed or continue to commit any acts of infringement in this or any other District, or placed into the stream of commerce any infringing products or services in this or any other District and further deny inducing others to commit any acts of infringement. Defendants deny all remaining allegations of Paragraph 8.

9. To the extent that the allegations of Paragraph 9 set forth legal conclusions, no response is required. To the extent an answer to such allegations is required, Defendants will not

challenge, for purposes of this action only, whether venue in this Court is proper, without waiving any defense of improper venue in connection with any cause of action or claim. Defendants deny that this venue is the most convenient or appropriate for adjudicating Plaintiff's claims against Defendants. Defendants deny that they have committed acts of infringement in this or any other District.

10. To the extent that the allegations of Paragraph 10 set forth legal conclusions, no response is required. To the extent an answer to such allegations is required, Defendants will not challenge, for purposes of this action only, whether venue in this Court is proper, without waiving any defense of improper venue in connection with any cause of action or claim. Defendants deny that this venue is the most convenient or appropriate for adjudicating Plaintiff's claims against Defendants. Defendants deny that SEC maintains a regular and established place of business in this District. Defendants deny that they have committed acts of infringement in this or any other District. Defendants repeat and incorporate by reference their responses from the previous paragraphs as if fully set forth herein.

11. To the extent that the allegations of Paragraph 11 set forth legal conclusions, no response is required. To the extent an answer to such allegations is required, Defendants will not challenge, for purposes of this action only, whether venue in this Court is proper, without waiving any defense of improper venue in connection with any cause of action or claim. Defendants deny that this venue is the most convenient or appropriate for adjudicating Plaintiff's claims against Defendants. Defendants deny that they have committed acts of infringement in this or any other District. Defendants repeat and incorporate by reference their responses from the previous paragraphs as if fully set forth herein.

12. To the extent that the allegations of Paragraph 12 set forth legal conclusions, no response is required. Defendants admit that the footnote to Paragraph 12 lists cases in which Samsung is a party. Defendants repeat and incorporate by reference their responses from the previous paragraphs as if fully set forth herein. The remainder of Paragraph 12 contains opinions and characterizations to which no response is required. To the extent a response is required, Defendants deny all remaining allegations of Paragraph 12.

13. To the extent that the allegations of Paragraph 13 set forth legal conclusions, no response is required. Defendants deny that they have committed acts of infringement. Defendants deny all remaining allegations of Paragraph 13.

FACTUAL BACKGROUND

ACR-Based Advertising

14. Paragraph 14 contains opinions and characterizations to which no response is required. To the extent a response is required, Defendants are without knowledge or information sufficient to form a belief as to the truth or falsity of the allegations of Paragraph 14 and therefore deny them.

15. Paragraph 15 contains opinions and characterizations to which no response is required. To the extent a response is required, Defendants are without knowledge or information sufficient to form a belief as to the truth or falsity of the allegations of Paragraph 15 and therefore deny them.

16. Paragraph 16 contains opinions and characterizations to which no response is required. To the extent a response is required, Defendants are without knowledge or information sufficient to form a belief as to the truth or falsity of the allegations of Paragraph 16 and therefore deny them.

17. Paragraph 17 contains opinions and characterizations to which no response is required. To the extent a response is required, Defendants are without knowledge or information sufficient to form a belief as to the truth or falsity of the allegations of Paragraph 17 and therefore deny them.

18. Paragraph 18 contains opinions and characterizations to which no response is required. To the extent a response is required, Defendants are without knowledge or information sufficient to form a belief as to the truth or falsity of the allegations of Paragraph 18 and therefore deny them.

19. Paragraph 19 contains opinions and characterizations to which no response is required. To the extent a response is required, Defendants are without knowledge or information sufficient to form a belief as to the truth or falsity of the allegations of Paragraph 19 and therefore deny them.

20. Paragraph 20 contains opinions and characterizations to which no response is required. To the extent a response is required, Defendants are without knowledge or information sufficient to form a belief as to the truth or falsity of the allegations of Paragraph 20 and therefore deny them.

Anonymous Media and Its Patented Inventions

21. Defendants are without knowledge or information sufficient to form a belief as to the truth or falsity of the allegations of Paragraph 21 and therefore deny them.

22. Defendants are without knowledge or information sufficient to form a belief as to the truth or falsity of the allegations of Paragraph 22 and therefore deny them.

23. Defendants are without knowledge or information sufficient to form a belief as to the truth or falsity of the allegations of Paragraph 23 and therefore deny them.

24. Defendants are without knowledge or information sufficient to form a belief as to the truth or falsity of the allegations of Paragraph 24 and therefore deny them.

25. Defendants are without knowledge or information sufficient to form a belief as to the truth or falsity of the allegations of Paragraph 25 and therefore deny them.

26. Defendants are without knowledge or information sufficient to form a belief as to the truth or falsity of the allegations of Paragraph 26 and therefore deny them.

Samsung's [Alleged] Use of the Patented Technology

27. To the extent that the allegations of Paragraph 27 set forth legal conclusions, no response is required. Samsung admits that it markets itself as a leading provider of Smart TVs. The remainder of Paragraph 27 contains opinions and characterizations to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 27.

28. To the extent that the allegations of Paragraph 28 set forth legal conclusions, no response is required. Defendants admit that, as of the date of this Answer, the quote at Paragraph 28 is an accurate representation of material located at <https://www.samsung.com/us/business/samsungads/events/samsung-dsp-access-to-advertisers/>. The remainder of Paragraph 28 contains opinions and characterizations to which no response is required. To the extent a response is required, Defendants deny the remainder of the allegations in Paragraph 28.

29. To the extent that the allegations of Paragraph 29 set forth legal conclusions, no response is required. Defendants admit that, as of the date of this Answer, the screenshot at Paragraph 29 is an accurate representation of material located at <http://samsungads.events/acrguide-pr>. The remainder of Paragraph 29 contains opinions and characterizations to which no response is required. To the extent a response is required, Defendants deny the remainder of the allegations in Paragraph 29.

30. To the extent that the allegations of Paragraph 30 set forth legal conclusions, no response is required. Defendants admit that, as of the date of this Answer, the quotes at Paragraph 30 are an accurate representation of material located at <http://samsungads.events/acrguide-pr>. The remainder of Paragraph 30 contains opinions and characterizations to which no response is required. To the extent a response is required, Defendants deny the remainder of the allegations in Paragraph 30.

31. To the extent that the allegations of Paragraph 31 set forth legal conclusions, no response is required. Paragraph 31 contains opinions and characterizations to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 31.

32. To the extent that the allegations of Paragraph 32 set forth legal conclusions, no response is required. Paragraph 32 contains opinions and characterizations to which no response is required. To the extent a response is required, Defendants deny the remainder of the allegations in Paragraph 32. Defendants specifically deny that they infringe the Asserted Patents.

33. To the extent that the allegations of Paragraph 33 set forth legal conclusions, no response is required. Defendants admit that, as of the date of this Answer, the quote and screenshot at Paragraph 33 are accurate representations of material located at <http://samsungads.events/acrguide-pr>. The remainder of Paragraph 33 contains opinions and characterizations to which no response is required. To the extent a response is required, Defendants deny the remainder of the allegations in Paragraph 33. Defendants specifically deny that they infringe the Asserted Patents.

34. To the extent that the allegations of Paragraph 34 set forth legal conclusions, no response is required. Paragraph 34 contains opinions and characterizations to which no response

is required. To the extent a response is required, Defendants deny the allegations in Paragraph 34. Defendants specifically deny that they infringe the Asserted Patents.

35. To the extent that the allegations of Paragraph 35 set forth legal conclusions, no response is required. Paragraph 35 contains opinions and characterizations to which no response is required. To the extent a response is required, Defendants deny of the allegations in Paragraph 35. Defendants specifically deny that they infringe the Asserted Patents.

36. To the extent that the allegations of Paragraph 36 set forth legal conclusions, no response is required. Defendants admit that, as of the date of this Answer, the screenshot at Paragraph 36 is (aside from the annotations) an accurate representation of material located at <http://samsungads.events/acrguide-pr>. The remainder of Paragraph 36 contains opinions and characterizations to which no response is required. To the extent a response is required, Defendants deny the remainder of the allegations in Paragraph 36. Defendants specifically deny that they infringe the Asserted Patents.

37. To the extent that the allegations of Paragraph 37 set forth legal conclusions, no response is required. The quote at Paragraph 37 cannot be verified because, as of the date of this Answer, the cited website is not accessible. Accordingly, Defendants are without knowledge or information sufficient to form a belief as to the truth or falsity of the allegations of Paragraph 37 and therefore deny them. The remainder of Paragraph 37 contains opinions and characterizations to which no response is required. To the extent a response is required, Defendants deny the remainder of the allegations in Paragraph 37. Defendants specifically deny that they infringe the Asserted Patents.

38. To the extent that the allegations of Paragraph 38 set forth legal conclusions, no response is required. Defendants admit that, as of the date of this Answer, the screenshot at

Paragraph 38 is (aside from the annotations) an accurate representation of material located at <https://www.samsung.com/us/business/samsungads/events/samsung-dsp-access-to-advertisers/>.

The remainder of Paragraph 38 contains opinions and characterizations to which no response is required. To the extent a response is required, Defendants deny the remainder of the allegations in Paragraph 38. Defendants specifically deny that they infringe the Asserted Patents.

39. To the extent that the allegations of Paragraph 39 set forth legal conclusions, no response is required. Paragraph 39 contains opinions and characterizations to which no response is required. To the extent a response is required, Defendants deny of the allegations in Paragraph 39. Defendants specifically deny that they infringe the Asserted Patents.

40. To the extent that the allegations of Paragraph 40 set forth legal conclusions, no response is required. Paragraph 40 contains opinions and characterizations to which no response is required. To the extent a response is required, Defendants deny of the allegations in Paragraph 40. Defendants specifically deny that they infringe the Asserted Patents.

41. Defendants deny the allegations of Paragraph 41.

42. Defendants are without knowledge or information sufficient to form a belief as to the truth or falsity of the allegations of Paragraph 42 and therefore deny them.

43. Defendants are without knowledge or information sufficient to form a belief as to the truth or falsity of the allegations of Paragraph 43 and therefore deny them.

44. Defendants deny the allegations of Paragraph 44.

45. Defendants deny of the allegations of Paragraph 45.

CAUSES OF ACTION

Count I: [Alleged] Infringement of U.S. Patent No. 8,510,768 (“’768 Patent”)

46. Defendants repeat and incorporate by reference their responses from the previous paragraphs as if fully set forth herein.

47. Defendants admit that the face of U.S. Patent No. 8,510,768 lists a Mr. Jonathan Steuer and Mr. Chris Otto as inventors. Defendants are without knowledge or information sufficient to form a belief as to the truth or falsity of the remainder of the allegations of Paragraph 47 and therefore deny them.

48. Defendants deny the allegations of Paragraph 48.

49. Defendants deny the allegations of Paragraph 49.

50. To the extent that the allegations of Paragraph 50 set forth legal conclusions, no response is required. Defendants admit that, as of the date of this Answer, the screenshot at Paragraph 50 is an accurate representation of material located at <http://samsungads.events/acrguide-pr>. The remainder of Paragraph 50 contains opinions and characterizations to which no response is required. To the extent a response is required, Defendants deny the remainder of the allegations in Paragraph 50. Defendants specifically deny that they infringe the Asserted Patents.

51. To the extent that the allegations of Paragraph 51 set forth legal conclusions, no response is required. Defendants admit that, as of the date of this Answer, the screenshots at Paragraph 51 are (aside from the annotations) an accurate representation of material located at <http://samsungads.events/acrguide-pr>. The remainder of Paragraph 51 contains opinions and characterizations to which no response is required. To the extent a response is required, Defendants deny the remainder of the allegations in Paragraph 51. Defendants specifically deny that they infringe the Asserted Patents.

52. To the extent that the allegations of Paragraph 52 set forth legal conclusions, no response is required. Defendants admit that, as of the date of this Answer, the screenshot at Paragraph 52 is (aside from the annotations) an accurate representation of material located at <https://www.samsung.com/us/info/privacy/smarttv/>. The remainder of Paragraph 52 contains opinions and characterizations to which no response is required. To the extent a response is required, Defendants deny the remainder of the allegations in Paragraph 52. Defendants specifically deny that they infringe the Asserted Patents.

53. To the extent that the allegations of Paragraph 53 set forth legal conclusions, no response is required. The quote at Paragraph 53 cannot be verified because, as of the date of this Answer, the cited website is not accessible. Accordingly, Defendants are without knowledge or information sufficient to form a belief as to the truth or falsity of the allegations of Paragraph 53 and therefore deny them. The remainder of Paragraph 53 contains opinions and characterizations to which no response is required. To the extent a response is required, Defendants deny the remainder of the allegations in Paragraph 53. Defendants specifically deny that they infringe the Asserted Patents.

54. To the extent that the allegations of Paragraph 54 set forth legal conclusions, no response is required. The screenshot at Paragraph 54 cannot be verified because, as of the date of this Answer, the cited website is not accessible. Accordingly, Defendants are without knowledge or information sufficient to form a belief as to the truth or falsity of the allegations of Paragraph 54 and therefore deny them. The remainder of Paragraph 54 contains opinions and characterizations to which no response is required. To the extent a response is required, Defendants deny the remainder of the allegations in Paragraph 54. Defendants specifically deny that they infringe the Asserted Patents.

55. To the extent that the allegations of Paragraph 55 set forth legal conclusions, no response is required. Paragraph 55 contains opinions and characterizations to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 55. Defendants specifically deny that they infringe the Asserted Patents.

56. To the extent that the allegations of Paragraph 56 set forth legal conclusions, no response is required. The screenshot at Paragraph 56 cannot be verified because, as of the date of this Answer, the cited website is not accessible. Accordingly, Defendants are without knowledge or information sufficient to form a belief as to the truth or falsity of the allegations of Paragraph 56 and therefore deny them. The remainder of Paragraph 56 contains opinions and characterizations to which no response is required. To the extent a response is required, Defendants deny the remainder of the allegations in Paragraph 56. Defendants specifically deny that they infringe the Asserted Patents.

57. To the extent that the allegations of Paragraph 57 set forth legal conclusions, no response is required. Paragraph 57 contains opinions and characterizations to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 57. Defendants specifically deny that they infringe the Asserted Patents.

58. To the extent that the allegations of Paragraph 58 set forth legal conclusions, no response is required. Paragraph 58 contains opinions and characterizations to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 58. Defendants specifically deny that they infringe the Asserted Patents. Defendants incorporate by reference their response to Paragraph 54.

59. To the extent that the allegations of Paragraph 59 set forth legal conclusions, no response is required. Defendants admit that, as of the date of this Answer, the screenshots at

Paragraph 59 are (aside from the annotations) an accurate representation of material located at <https://www.adexchanger.com/ad-exchange-news/the-marketers-guide-to-acr-tech-in-smart-tvs/>.

The remainder of Paragraph 59 contains opinions and characterizations to which no response is required. To the extent a response is required, Defendants deny the remainder of the allegations in Paragraph 59. Defendants specifically deny that they infringe the Asserted Patents.

60. To the extent that the allegations of Paragraph 60 set forth legal conclusions, no response is required. Paragraph 60 contains opinions and characterizations to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 60. Defendants specifically deny that they infringe the Asserted Patents.

61. To the extent that the allegations of Paragraph 61 set forth legal conclusions, no response is required. The screenshot at Paragraph 61 cannot be verified because, as of the date of this Answer, the cited website is not accessible. Accordingly, Defendants are without knowledge or information sufficient to form a belief as to the truth or falsity of the allegations of Paragraph 61 and therefore deny them. The remainder of Paragraph 61 contains opinions and characterizations to which no response is required. To the extent a response is required, Defendants deny the remainder of the allegations in Paragraph 61. Defendants specifically deny that they infringe the Asserted Patents.

62. Defendants deny the allegations of Paragraph 62.

63. Defendants deny the allegations of Paragraph 63.

Count II: [Alleged] Infringement of U.S. Patent No. 8,756,622

64. Defendants repeat and incorporate by reference their responses from the previous paragraphs as if fully set forth herein.

65. Defendants admit that the face of U.S. Patent No. 8,756,622 lists a Mr. Jonathan Steuer and Mr. Chris Otto as inventors. Defendants are without knowledge or information

sufficient to form a belief as to the truth or falsity of the remainder of the allegations of Paragraph 65 and therefore deny them.

66. Defendants deny the allegations of Paragraph 66.

67. Defendants deny the allegations of Paragraph 67.

68. To the extent that the allegations of Paragraph 68 set forth legal conclusions, no response is required. Defendants admit that, as of the date of this Answer, the screenshot at Paragraph 68 is an accurate representation of material located at <http://samsungads.events/acrguide-pr>. The remainder of Paragraph 68 contains opinions and characterizations to which no response is required. To the extent a response is required, Defendants deny the remainder of the allegations in Paragraph 68. Defendants specifically deny that they infringe the Asserted Patents.

69. To the extent that the allegations of Paragraph 69 set forth legal conclusions, no response is required. Paragraph 69 contains opinions and characterizations to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 69. Defendants specifically deny that they infringe the Asserted Patents.

70. To the extent that the allegations of Paragraph 70 set forth legal conclusions, no response is required. Defendants admit that, as of the date of this Answer, the screenshots at Paragraph 70 are (aside from the annotations) an accurate representation of material located at <http://samsungads.events/acrguide-pr>. The remainder of Paragraph 70 contains opinions and characterizations to which no response is required. To the extent a response is required, Defendants deny the remainder of the allegations in Paragraph 70. Defendants specifically deny that they infringe the Asserted Patents.

71. To the extent that the allegations of Paragraph 71 set forth legal conclusions, no response is required. Defendants admit that, as of the date of this Answer, the screenshot at Paragraph 71 is (aside from the annotations) an accurate representation of material located at <http://samsungads.events/acrguide-pr>. The remainder of Paragraph 71 contains opinions and characterizations to which no response is required. To the extent a response is required, Defendants deny the remainder of the allegations in Paragraph 71. Defendants specifically deny that they infringe the Asserted Patents.

72. To the extent that the allegations of Paragraph 72 set forth legal conclusions, no response is required. The quote at Paragraph 72 cannot be verified because, as of the date of this Answer, the cited website is not accessible. Accordingly, Defendants are without knowledge or information sufficient to form a belief as to the truth or falsity of the allegations of Paragraph 72 and therefore deny them. The remainder of Paragraph 72 contains opinions and characterizations to which no response is required. To the extent a response is required, Defendants deny the remainder of the allegations in Paragraph 72. Defendants specifically deny that they infringe the Asserted Patents.

73. To the extent that the allegations of Paragraph 73 set forth legal conclusions, no response is required. Defendants admit that, as of the date of this Answer, the screenshot at Paragraph 73 is an accurate representation of material located at <https://www.samsung.com/us/info/privacy/smarttv/>. The remainder of Paragraph 73 contains opinions and characterizations to which no response is required. To the extent a response is required, Defendants deny the remainder of the allegations in Paragraph 73. Defendants specifically deny that they infringe the Asserted Patents.

74. To the extent that the allegations of Paragraph 74 set forth legal conclusions, no response is required. The quote and screenshot at Paragraph 74 cannot be verified because, as of the date of this Answer, the cited website is not accessible. Accordingly, Defendants are without knowledge or information sufficient to form a belief as to the truth or falsity of the allegations of Paragraph 74 and therefore deny them. The remainder of Paragraph 74 contains opinions and characterizations to which no response is required. To the extent a response is required, Defendants deny the remainder of the allegations in Paragraph 74. Defendants specifically deny that they infringe the Asserted Patents.

75. To the extent that the allegations of Paragraph 75 set forth legal conclusions, no response is required. Defendants admit that, as of the date of this Answer, the screenshot at Paragraph 75 is an accurate representation of material located at <https://help.dsp.samsungads.com/docs/networks>. The remainder of Paragraph 75 contains opinions and characterizations to which no response is required. To the extent a response is required, Defendants deny the remainder of the allegations in Paragraph 75. Defendants specifically deny that they infringe the Asserted Patents.

76. Defendants deny the allegations of Paragraph 76.

77. Defendants deny the allegations of Paragraph 77.

Count III: [Alleged] Infringement of U.S. Patent No. 8,296,791

78. Defendants repeat and incorporate by reference their responses from the previous paragraphs as if fully set forth herein.

79. Defendants admit that the face of U.S. Patent No. 8,296,791 lists a Mr. Jonathan Steuer and Mr. Chris Otto as inventors. Defendants are without knowledge or information sufficient to form a belief as to the truth or falsity of the remainder of the allegations of Paragraph 79 and therefore deny them.

80. Defendants deny the allegations of Paragraph 80.

81. Defendants deny the allegations of Paragraph 81.

82. To the extent that the allegations of Paragraph 82 set forth legal conclusions, no response is required. Defendants admit that, as of the date of this Answer, the screenshot at Paragraph 82 is an accurate representation of material located at <http://samsungads.events/acrguide-pr>. The remainder of Paragraph 82 contains opinions and characterizations to which no response is required. To the extent a response is required, Defendants deny the remainder of the allegations in Paragraph 82. Defendants specifically deny that they infringe the Asserted Patents.

83. To the extent that the allegations of Paragraph 83 set forth legal conclusions, no response is required. Paragraph 83 contains opinions and characterizations to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 83. Defendants specifically deny that they infringe the Asserted Patents.

84. To the extent that the allegations of Paragraph 84 set forth legal conclusions, no response is required. Defendants admit that, as of the date of this Answer, the screenshots at Paragraph 84 are (aside from the annotations) an accurate representation of material located at <http://samsungads.events/acrguide-pr>. The remainder of Paragraph 84 contains opinions and characterizations to which no response is required. To the extent a response is required, Defendants deny the remainder of the allegations in Paragraph 84. Defendants specifically deny that they infringe the Asserted Patents.

85. To the extent that the allegations of Paragraph 85 set forth legal conclusions, no response is required. Defendants admit that, as of the date of this Answer, the screenshot at Paragraph 85 is (aside from the annotations) an accurate representation of material located at

<https://www.samsung.com/us/info/privacy/smarttv/>. The remainder of Paragraph 85 contains opinions and characterizations to which no response is required. To the extent a response is required, Defendants deny the remainder of the allegations in Paragraph 85. Defendants specifically deny that they infringe the Asserted Patents.

86. To the extent that the allegations of Paragraph 86 set forth legal conclusions, no response is required. The screenshot at Paragraph 86 cannot be verified because, as of the date of this Answer, the cited website is not accessible. Accordingly, Defendants are without knowledge or information sufficient to form a belief as to the truth or falsity of the allegations of Paragraph 86 and therefore deny them. The remainder of Paragraph 86 contains opinions and characterizations to which no response is required. To the extent a response is required, Defendants deny the remainder of the allegations in Paragraph 86. Defendants specifically deny that they infringe the Asserted Patents.

87. To the extent that the allegations of Paragraph 87 set forth legal conclusions, no response is required. Paragraph 87 contains opinions and characterizations to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 87. Defendants specifically deny that they infringe the Asserted Patents.

88. To the extent that the allegations of Paragraph 88 set forth legal conclusions, no response is required. The quote at Paragraph 88 cannot be verified because, as of the date of this Answer, the cited website is not accessible. Accordingly, Defendants are without knowledge or information sufficient to form a belief as to the truth or falsity of the allegations of Paragraph 88 and therefore deny them. The remainder of Paragraph 88 contains opinions and characterizations to which no response is required. To the extent a response is required, Defendants deny the

remainder of the allegations in Paragraph 88. Defendants specifically deny that they infringe the Asserted Patents. Defendants incorporate by reference their response to Paragraph 83.

89. To the extent that the allegations of Paragraph 89 set forth legal conclusions, no response is required. Paragraph 89 contains opinions and characterizations to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 89. Defendants specifically deny that they infringe the Asserted Patents. Defendants incorporate by reference their response to Paragraphs 86-87.

90. To the extent that the allegations of Paragraph 90 set forth legal conclusions, no response is required. Paragraph 90 contains opinions and characterizations to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 90. Defendants specifically deny that they infringe the Asserted Patents.

91. To the extent that the allegations of Paragraph 91 set forth legal conclusions, no response is required. Paragraph 91 contains opinions and characterizations to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 91. Defendants specifically deny that they infringe the Asserted Patents.

92. Defendants deny the allegations of Paragraph 92.

93. Defendants deny the allegations of Paragraph 93.

Count IV: [Alleged] Infringement of U.S. Patent No. 10,719,848

94. Defendants repeat and incorporate by reference their responses from the previous paragraphs as if fully set forth herein.

95. Defendants admit that the face of U.S. Patent No. 10,719,848 lists a Mr. Jonathan Steuer and Mr. Chris Otto as inventors. Defendants are without knowledge or information sufficient to form a belief as to the truth or falsity of the remainder of the allegations of Paragraph 95 and therefore deny them.

96. Defendants deny the allegations of Paragraph 96.

97. Defendants deny the allegations of Paragraph 97.

98. To the extent that the allegations of Paragraph 98 set forth legal conclusions, no response is required. Defendants admit that, as of the date of this Answer, the screenshot at Paragraph 98 is an accurate representation of material located at <http://samsungads.events/acrguide-pr>. The remainder of Paragraph 98 contains opinions and characterizations to which no response is required. To the extent a response is required, Defendants deny the remainder of the allegations in Paragraph 98. Defendants specifically deny that they infringe the Asserted Patents.

99. To the extent that the allegations of Paragraph 99 set forth legal conclusions, no response is required. Defendants admit that, as of the date of this Answer, the screenshots at Paragraph 99 are (aside from the annotations) an accurate representation of material located at <http://samsungads.events/acrguide-pr>. The remainder of Paragraph 99 contains opinions and characterizations to which no response is required. To the extent a response is required, Defendants deny the remainder of the allegations in Paragraph 99. Defendants specifically deny that they infringe the Asserted Patents.

100. To the extent that the allegations of Paragraph 100 set forth legal conclusions, no response is required. Defendants admit that, as of the date of this Answer, the screenshot at Paragraph 100 is (aside from the annotations) an accurate representation of material located at <https://www.samsung.com/us/info/privacy/smarttv/>. The remainder of Paragraph 100 contains opinions and characterizations to which no response is required. To the extent a response is required, Defendants deny the remainder of the allegations in Paragraph 100. Defendants specifically deny that they infringe the Asserted Patents.

101. To the extent that the allegations of Paragraph 101 set forth legal conclusions, no response is required. The quote at Paragraph 101 cannot be verified because, as of the date of this Answer, the cited website is not accessible. Accordingly, Defendants are without knowledge or information sufficient to form a belief as to the truth or falsity of the allegations of Paragraph 101 and therefore deny them. The remainder of Paragraph 101 contains opinions and characterizations to which no response is required. To the extent a response is required, Defendants deny the remainder of the allegations in Paragraph 101. Defendants specifically deny that they infringe the Asserted Patents.

102. To the extent that the allegations of Paragraph 102 set forth legal conclusions, no response is required. The screenshot at Paragraph 102 cannot be verified because, as of the date of this Answer, the cited website is not accessible. Accordingly, Defendants are without knowledge or information sufficient to form a belief as to the truth or falsity of the allegations of Paragraph 102 and therefore deny them. The remainder of Paragraph 102 contains opinions and characterizations to which no response is required. To the extent a response is required, Defendants deny the remainder of the allegations in Paragraph 102. Defendants specifically deny that they infringe the Asserted Patents.

103. To the extent that the allegations of Paragraph 103 set forth legal conclusions, no response is required. Paragraph 103 contains opinions and characterizations to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 103. Defendants specifically deny that they infringe the Asserted Patents.

104. To the extent that the allegations of Paragraph 104 set forth legal conclusions, no response is required. The screenshot at Paragraph 104 cannot be verified because, as of the date of this Answer, the cited website is not accessible. Accordingly, Defendants are without knowledge

or information sufficient to form a belief as to the truth or falsity of the allegations of Paragraph 104 and therefore deny them. The remainder of Paragraph 104 contains opinions and characterizations to which no response is required. To the extent a response is required, Defendants deny the remainder of the allegations in Paragraph 104. Defendants specifically deny that they infringe the Asserted Patents.

105. To the extent that the allegations of Paragraph 105 set forth legal conclusions, no response is required. Paragraph 105 contains opinions and characterizations to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 105. Defendants specifically deny that they infringe the Asserted Patents.

106. To the extent that the allegations of Paragraph 106 set forth legal conclusions, no response is required. Paragraph 106 contains opinions and characterizations to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 106. Defendants specifically deny that they infringe the Asserted Patents. Defendants incorporate by reference their response to Paragraph 102.

107. To the extent that the allegations of Paragraph 107 set forth legal conclusions, no response is required. Defendants admit that, as of the date of this Answer, the screenshots at Paragraph 107 are (aside from the annotations) an accurate representation of material located at <https://www.adexchanger.com/ad-exchange-news/the-marketers-guide-to-acr-tech-in-smart-tvs/>. The remainder of Paragraph 107 contains opinions and characterizations to which no response is required. To the extent a response is required, Defendants deny the remainder of the allegations in Paragraph 107. Defendants specifically deny that they infringe the Asserted Patents.

108. To the extent that the allegations of Paragraph 108 set forth legal conclusions, no response is required. Paragraph 108 contains opinions and characterizations to which no response

is required. To the extent a response is required, Defendants deny the allegations in Paragraph 108. Defendants specifically deny that they infringe the Asserted Patents.

109. To the extent that the allegations of Paragraph 109 set forth legal conclusions, no response is required. The screenshot at Paragraph 109 cannot be verified because, as of the date of this Answer, the cited website is not accessible. Accordingly, Defendants are without knowledge or information sufficient to form a belief as to the truth or falsity of the allegations of Paragraph 109 and therefore deny them. The remainder of Paragraph 109 contains opinions and characterizations to which no response is required. To the extent a response is required, Defendants deny the remainder of the allegations in Paragraph 109. Defendants specifically deny that they infringe the Asserted Patents.

110. Defendants deny the allegations of Paragraph 110.

111. Defendants deny the allegations of Paragraph 111.

Count V: [Alleged] Infringement of United States Patent No. 10,719,849

112. Defendants repeat and incorporate by reference their responses from the previous paragraphs as if fully set forth herein.

113. Defendants admit that the face of U.S. Patent No. 10,719,849 lists a Mr. Jonathan Steuer and Mr. Chris Otto as inventors. Defendants are without knowledge or information sufficient to form a belief as to the truth or falsity of the remainder of the allegations of Paragraph 113 and therefore deny them.

114. Defendants deny the allegations of Paragraph 114.

115. Defendants deny the allegations of Paragraph 115.

116. To the extent that the allegations of Paragraph 116 set forth legal conclusions, no response is required. Paragraph 116 contains opinions and characterizations to which no response

is required. To the extent a response is required, Defendants deny the allegations in Paragraph 116. Defendants specifically deny that they infringe the Asserted Patents.

117. To the extent that the allegations of Paragraph 117 set forth legal conclusions, no response is required. Paragraph 117 contains opinions and characterizations to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 117. Defendants specifically deny that they infringe the Asserted Patents.

118. To the extent that the allegations of Paragraph 118 set forth legal conclusions, no response is required. Defendants admit that, as of the date of this Answer, the screenshots at Paragraph 118 are (aside from the annotations) an accurate representation of material located at <http://samsungads.events/acrguide-pr>. The remainder of Paragraph 118 contains opinions and characterizations to which no response is required. To the extent a response is required, Defendants deny the remainder of the allegations in Paragraph 118. Defendants specifically deny that they infringe the Asserted Patents.

119. To the extent that the allegations of Paragraph 119 set forth legal conclusions, no response is required. Defendants admit that, as of the date of this Answer, the screenshot at Paragraph 119 is (aside from the annotations) an accurate representation of material located at <http://samsungads.events/acrguide-pr>. The remainder of Paragraph 119 contains opinions and characterizations to which no response is required. To the extent a response is required, Defendants deny the remainder of the allegations in Paragraph 119. Defendants specifically deny that they infringe the Asserted Patents.

120. To the extent that the allegations of Paragraph 120 set forth legal conclusions, no response is required. The quote at Paragraph 120 cannot be verified because, as of the date of this Answer, the cited website is not accessible. Accordingly, Defendants are without knowledge or

information sufficient to form a belief as to the truth or falsity of the allegations of Paragraph 120 and therefore deny them. The remainder of Paragraph 120 contains opinions and characterizations to which no response is required. To the extent a response is required, Defendants deny the remainder of the allegations in Paragraph 120. Defendants specifically deny that they infringe the Asserted Patents.

121. To the extent that the allegations of Paragraph 121 set forth legal conclusions, no response is required. Defendants admit that, as of the date of this Answer, the screenshot at Paragraph 121 is an accurate representation of material located at <https://www.samsung.com/us/info/privacy/smarttv/>. The remainder of Paragraph 121 contains opinions and characterizations to which no response is required. To the extent a response is required, Defendants deny the remainder of the allegations in Paragraph 121. Defendants specifically deny that they infringe the Asserted Patents.

122. To the extent that the allegations of Paragraph 122 set forth legal conclusions, no response is required. The quote and screenshot at Paragraph 122 cannot be verified because, as of the date of this Answer, the cited website is not accessible. Accordingly, Defendants are without knowledge or information sufficient to form a belief as to the truth or falsity of the allegations of Paragraph 122 and therefore deny them. The remainder of Paragraph 122 contains opinions and characterizations to which no response is required. To the extent a response is required, Defendants deny the remainder of the allegations in Paragraph 122. Defendants specifically deny that they infringe the Asserted Patents.

123. To the extent that the allegations of Paragraph 123 set forth legal conclusions, no response is required. Defendants admit that, as of the date of this Answer, the screenshot at Paragraph 123 is an accurate representation of material located at

<https://help.dsp.samsungads.com/docs/networks>. The remainder of Paragraph 123 contains opinions and characterizations to which no response is required. To the extent a response is required, Defendants deny the remainder of the allegations in Paragraph 123. Defendants specifically deny that they infringe the Asserted Patents.

124. To the extent that the allegations of Paragraph 124 set forth legal conclusions, no response is required. The quote at Paragraph 124 cannot be verified because, as of the date of this Answer, the cited website is not accessible. Accordingly, Defendants are without knowledge or information sufficient to form a belief as to the truth or falsity of the allegations of Paragraph 124 and therefore deny them. The remainder of Paragraph 124 contains opinions and characterizations to which no response is required. To the extent a response is required, Defendants deny the remainder of the allegations in Paragraph 124. Defendants specifically deny that they infringe the Asserted Patents. Defendants incorporate by reference their response to Paragraph 122.

125. Defendants deny the allegations of Paragraph 125.

126. Defendants deny the allegations of Paragraph 126.

Count VI: [Alleged] Infringement of United States Patent No. 10,572,896

127. Defendants repeat and incorporate by reference their responses from the previous paragraphs as if fully set forth herein.

128. Defendants admit that the face of U.S. Patent No. 10,572,896 lists a Mr. Jonathan Steuer and Mr. Chris Otto as inventors. Defendants are without knowledge or information sufficient to form a belief as to the truth or falsity of the remainder of the allegations of Paragraph 128 and therefore deny them.

129. Defendants deny the allegations of Paragraph 129.

130. Defendants deny the allegations of Paragraph 130.

131. To the extent that the allegations of Paragraph 131 set forth legal conclusions, no response is required. Defendants admit that, as of the date of this Answer, the screenshot at Paragraph 131 is an accurate representation of material located at <http://samsungads.events/acrguide-pr>. The remainder of Paragraph 131 contains opinions and characterizations to which no response is required. To the extent a response is required, Defendants deny the remainder of the allegations in Paragraph 131. Defendants specifically deny that they infringe the Asserted Patents.

132. To the extent that the allegations of Paragraph 132 set forth legal conclusions, no response is required. Paragraph 132 contains opinions and characterizations to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 132. Defendants specifically deny that they infringe the Asserted Patents.

133. To the extent that the allegations of Paragraph 133 set forth legal conclusions, no response is required. Defendants admit that, as of the date of this Answer, the screenshots at Paragraph 133 are (aside from the annotations) an accurate representation of material located at <http://samsungads.events/acrguide-pr>. The remainder of Paragraph 133 contains opinions and characterizations to which no response is required. To the extent a response is required, Defendants deny the remainder of the allegations in Paragraph 133. Defendants specifically deny that they infringe the Asserted Patents.

134. To the extent that the allegations of Paragraph 134 set forth legal conclusions, no response is required. Defendants admit that, as of the date of this Answer, the screenshot at Paragraph 134 is (aside from the annotations) an accurate representation of material located at <https://www.samsung.com/us/info/privacy/smarttv/>. The remainder of Paragraph 134 contains opinions and characterizations to which no response is required. To the extent a response is

required, Defendants deny the remainder of the allegations in Paragraph 134. Defendants specifically deny that they infringe the Asserted Patents.

135. To the extent that the allegations of Paragraph 135 set forth legal conclusions, no response is required. The screenshot at Paragraph 135 cannot be verified because, as of the date of this Answer, the cited website is not accessible. Accordingly, Defendants are without knowledge or information sufficient to form a belief as to the truth or falsity of the allegations of Paragraph 135 and therefore deny them. The remainder of Paragraph 135 contains opinions and characterizations to which no response is required. To the extent a response is required, Defendants deny the remainder of the allegations in Paragraph 135. Defendants specifically deny that they infringe the Asserted Patents.

136. To the extent that the allegations of Paragraph 136 set forth legal conclusions, no response is required. Paragraph 136 contains opinions and characterizations to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 136. Defendants specifically deny that they infringe the Asserted Patents.

137. To the extent that the allegations of Paragraph 137 set forth legal conclusions, no response is required. The quote at Paragraph 137 cannot be verified because, as of the date of this Answer, the cited website is not accessible. Accordingly, Defendants are without knowledge or information sufficient to form a belief as to the truth or falsity of the allegations of Paragraph 137 and therefore deny them. The remainder of Paragraph 137 contains opinions and characterizations to which no response is required. To the extent a response is required, Defendants deny the remainder of the allegations in Paragraph 137. Defendants specifically deny that they infringe the Asserted Patents. Defendants incorporate by reference their response to Paragraph 132.

138. To the extent that the allegations of Paragraph 138 set forth legal conclusions, no response is required. Paragraph 138 contains opinions and characterizations to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 138. Defendants specifically deny that they infringe the Asserted Patents. Defendants incorporate by reference their response to Paragraphs 135-136.

139. To the extent that the allegations of Paragraph 139 set forth legal conclusions, no response is required. Paragraph 139 contains opinions and characterizations to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 139. Defendants specifically deny that they infringe the Asserted Patents.

140. Defendants deny the allegations of Paragraph 140.

141. Defendants deny the allegations of Paragraph 141.

JURY DEMAND

142. No response is required for Plaintiff's demand for a jury trial.

PRAYER

143. Defendants deny that Plaintiff is entitled to the judgment and relief requested in Paragraphs 143–150.

AFFIRMATIVE DEFENSES

Defendants assert the following defenses to Plaintiff's Complaint. Defendants further reserve the right to assert additional defenses based on information learned or obtained during discovery.

FIRST DEFENSE **(Failure to State a Claim)**

144. Plaintiff fails to state a claim against Defendants in the Complaint upon which relief can be granted.

SECOND DEFENSE
(Non-Infringement)

145. Plaintiff is not entitled to any relief or recovery from Defendants because Defendants do not directly infringe and have not directly infringed (either literally or under the doctrine of equivalents), and do not indirectly infringe and have not indirectly infringed, by contributing to infringement or inducing infringement of, any valid and enforceable claim of the Asserted Patents.

THIRD DEFENSE
(Invalidity)

146. The claims of the Asserted Patents are invalid for failing to meet one or more of the requirements of Title 35, United States Code, including but not limited to pre-AIA and AIA §§ 101, 102, 103, and/or 112 and/or the rules, regulations, and laws pertaining thereto.

FOURTH DEFENSE
(Prosecution History Estoppel)

147. Plaintiff is estopped from construing or interpreting any valid claim of the Asserted Patents in such a way as may cover and/or include, either literally or under the doctrine of equivalents, Defendants' products, processes, services, and/or other activities, and/or has waived any right to do so by reason of cancellation, limitation, or abandonment of claims, admissions, arguments, amendments, and/or representations made by or on behalf of the applicants in any proceedings before the United States Patent and Trademark Office.

FIFTH DEFENSE
(Limitation on Damages)

148. Plaintiff's right to seek damages, if any, is limited by 35 U.S.C. §§ 286, 287, and/or 288.

SIXTH DEFENSE
(No Willful Infringement)

149. Defendants have not willfully infringed and are not willfully infringing the Asserted Patents.

SEVENTH DEFENSE
(Not an Exceptional Case)

150. Plaintiff cannot prove that this is an exceptional case justifying an award of attorneys' fees under 35 U.S.C. § 285, or pursuant to the Court's inherent power.

EIGHTH DEFENSE
(Adequate Remedy at Law)

151. If Plaintiff is entitled to any remedy, Plaintiff has an adequate remedy at law, and cannot satisfy the requirements applicable to a request for injunctive relief.

NINTH DEFENSE
(Prosecution Laches)

152. On information and belief, Plaintiff's claims are barred because prosecution laches renders the Asserted Patent unenforceable .

Reservation of Right to Assert Additional Defenses

153. Defendants have not knowingly or intentionally waived any applicable defenses, and they reserve the right to assert and rely upon other applicable defenses that may become available or apparent throughout the course of this action. Defendants reserve the right to amend, or seek to amend, their answer, including their affirmative and other defenses.

DATED: January 15, 2024

Respectfully submitted,

By: /s/ Allan M. Soobert

Allan M. Soobert

allansoobert@paulhastings.com

James V. Razick (*pro hac vice*)

jamesrazick@paulhastings.com

David Valente (*pro hac vice*)

davidvalente@paulhastings.com

Jason Mikus (*pro hac vice*)

jasonmikus@paulhastings.com

Kevin Stewart (*pro hac vice pending*)

kevinstewart@paulhastings.com

PAUL HASTINGS LLP

2050 M Street NW

Washington, D.C. 20036

Telephone: 202-551-1700

Facsimile: 202-551-1705

Elizabeth L. Brann

elizabethbrann@paulhastings.com

Ariell N. Bratton (*pro hac vice*)

ariellbratton@paulhastings.com

PAUL HASTINGS LLP

4655 Executive Drive, Suite 350

San Diego, CA 92121

Telephone: (858) 458-3000

Facsimile: (858) 458-3005

Melissa R. Smith (TX Bar No. 24001351)

melissa@gillamsmithlaw.com

GILLAM & SMITH, LLP

303 S. Washington Ave.

Marshall, TX 75670

Telephone: (903) 934-8450

Facsimile: (903) 934-9257

*Attorneys for Defendants Samsung Electronics
Co., Ltd. and Samsung Electronics America, Inc.*

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document was filed electronically in compliance with Local Rule CV-5 on January 15, 2024. As of this date, all counsel of record has consented to electronic service and are being served with a copy of this document through the Court's CM/ECF system under Local Rule CV-5(a)(3)(A).

/s/ Allan M. Soobert

Allan M. Soobert